



CITY OF DURHAM | DURHAM COUNTY  
NORTH CAROLINA

Street Closing Report



Meeting Date: June 2, 2014

Reference Name	Street Closing – 50 linear feet of an Unnamed Alley off of Alley #12 (SC1400005)	Jurisdiction	City
Request	To conduct a public hearing to consider the permanent closing of 50 linear feet of the unnamed Alley.		
Applicant	Joanne Darby	Submittal Date	January 31, 2014
Location	East of Buchanan Boulevard and west of Watts Street		
Recommendation	Approve permanent closing of the public right-of-way.		

A. Summary

Joanne Darby requests to close a 50 linear foot portion of an “Unnamed” alley off of Alley #12. The right-of-way is currently open and the portion requested to be closed is bordered by the applicant’s property and property owned by Berini Properties. If the request is approved, the right-of-way will be equally divided and recombined with the adjacent properties (Attachment 3).

B. Area Characteristics

The area surrounding the right-of-way is zoned Residential Urban - 5 (RU-5) and is located in the Urban Tier. The site is located to the east of Buchanan Boulevard and west of Watts Street. The following table indicates the adjacent land uses and zoning districts:

Adjacent Land Uses and Zoning			
	Uses	Zoning Districts	Overlay Districts
North	Residential	RU-5	Trinity National Historic District
South	Residential	RU-5	Trinity National Historic District
East	Residential	RU-5	Trinity National Historic District
West	Residential	RU-5	Trinity National Historic District

**C. Statutory Requirements**

North Carolina Statute 160A-299 requires that the Governing Body make two findings prior to closing any street or alley. These are:

- 1) Closing the street or alley is not contrary to the public interest; and
- 2) No individual owning property in the vicinity of the street or alley or in which it is located would be deprived of reasonable means of ingress or egress to that property.

**D. Code Requirements**

Section 13.5.1 Access, of the Unified Development Ordinance requires that every buildable lot have access to a public or private street that is designed, constructed and maintained to the appropriate standards.

**E. Service Impacts**

This request was submitted to service agencies for review and comment. Their comments are shown below:

Service Agency Comments		
Service Agency	Comments	How Addressed
NCDOT	No impact	n/a
County - Engineering	No impact	n/a
County - Fire Marshall	No impact	n/a
Durham County Sherriff	No impact	n/a
Emergency Medical Services	No impact	n/a
911	No impact	n/a
Durham Public Schools	No impact	n/a
City - Transportation	No impact	n/a
City - Engineering	No impact	n/a
City - Fire Department	No impact	n/a
City – Parks and Recreation	No impact	n/a
City – Solid Waste	No impact	n/a
City – Inspections	No impact	n/a
City – General Services	No impact	n/a
Police Department	No impact	n/a
Duke Energy	Overhead utilities in area	Easement provided
PSNC	No impact	n/a
Frontier	No impact	n/a
Tax Assessor Office	No impact	n/a
Address Coordinator, GIS	No impact	n/a

**F. Staff Analysis**

The area adjacent to the right-of-way is zoned RU-5 and is in the Urban Tier. The proposed street closing plat (Attachment 3) indicates that the requested right-of-way will be recombined with the adjacent properties. Staff finds this alley superfluous and recommends approval of the street closing.

**G. Recommendation**

Approve the permanent closing of 50 linear feet of public right-of-way.

**H. Staff Contact**

Jacob Wiggins, Planner, 919.560.4137 ext. 28257 [jacob.wiggins@durhamnc.gov](mailto:jacob.wiggins@durhamnc.gov)

**I. Attachments**

1. Context Map
2. Aerial Map
3. SC1400005 – Street Closing Plat Reduction
4. Street Closing Application
5. Street Closing Order